

This listing of claims will replace all prior versions and listings of claims in the application:

**Listing of Claims**

1-24. (Cancelled)

25. (Currently Amended) An apparatus comprising:

a processor; and

a memory storing program instructions, the memory and the program instructions configured to, with the processor, cause the apparatus at least to perform:

a) process data received from a first host;

b) cause transmission of said data to one or more further hosts;

c) define a group comprising one or more further hosts, wherein a further host is added to the group in response to reception of a request;

d) store received data until determine whether a predetermined first condition is met, the first condition being that a number of received requests for a file exceeds a predetermined threshold;

e) determine whether a second condition is met, the second condition being that a time limit has expired;

and, f) repeat d) and e) until either in response to the meeting of this of the first and second conditions is met, and then to forward the data to said further hosts in said group, and wherein the processor is configured to limit the group to further hosts situated at a same location, wherein the predetermined condition is one of:

receipt of a predetermined number of requests for a file from said further hosts; and

expiry of a time limit that changes dynamically.

26. (Previously Presented) An apparatus according to claim 25, wherein one or both of the request and the file is transmitted between the apparatus and the first host via a cellular communications network and a location of the further host is defined in terms of a cell, so that

the group is limited to further hosts situated in an area covered by a single cell.

27. (Currently Amended) An apparatus according to claim 25, wherein the memory and the program instructions are further configured to, with the processor, cause the apparatus to forward the file over a wireless communication network, being a last apparatus located before an air-interface in a file delivery path between the first host and the one or more further hosts.

28. (Previously Presented) An apparatus according to claim 25, wherein said apparatus comprises a router.

29-30. (Cancelled)

31. (Previously Presented) An apparatus according to claim 25, wherein the memory and the program instructions are further configured to, with the processor, cause the apparatus to receive requests from the further hosts via a first communication path and to forward data to the further hosts via a second communication path, separate from the first communication path.

32. (Previously Presented) An apparatus according to claim 31, wherein the first communication path and the second communication path comprise separate networks.

33. (Currently Amended) A method comprising:

- a) receiving a request for a file from a first host at a network element;
- b) retrieving the file from a second host;
- c) storing the file in a cache associated with the network element;
- d) defining, by the network element, a group including the first host;
- e) ~~waiting for a period of time until a predetermined condition is met where, if in response to receiving further requests for said file are received by the network element from one or more other hosts before the a period of time expires, then adding said one or more other hosts are added to the group; and~~
- f) ~~determining whether a first condition is met, the first condition being that a number of received requests for the file exceeds a predetermined threshold;~~
- g) ~~determining whether a second condition is met, the second condition being that a~~

time limit has expired;

h) repeating f) and g) until either of the first and second conditions is met, and then  
forwarding the file to the first host and to any other hosts in said group, wherein the group is  
limited to the first host and other hosts situated at a same location as the first host, ~~wherein the~~  
~~predetermined condition is one of:~~

- ~~receipt of a predetermined number of further requests; and~~
- ~~expiry of a time limit that changes dynamically.~~

34. (Previously Presented) A method according to claim 33, wherein one or both of the request and the file is transmitted between the network element and the first host via a cellular communications network and another host is considered to be at the same location as the first host if situated in an area covered by a same cell.

35. (Previously Presented) A method according to claim 33, wherein the file is forwarded over a wireless communication network, the network element being a last network element before an air-interface in a file delivery path between the second host and the first host.

36. (Previously Presented) A method according to claim 33, wherein the network element comprises a router.

37-38. (Cancelled)

39. (Previously Presented) A method according to claim 33, wherein the request is received via a first communications network and the file is forwarded via a second communications network.

40. (Currently Amended) A memory storing computer-executable instructions that, when executed, cause an apparatus at least to perform:

- a) receiving a request for a file from a first host at the apparatus;
- b) retrieving the file from a second host;
- c) storing the file in a cache associated with the apparatus;
- d) defining a group including the first host;

e) ~~waiting for a period of time until a predetermined condition is met where, if in response to receiving further requests for said file are received by the apparatus from one or more other hosts before the period of time expires, then adding said one or more other hosts are added to the group; and~~

f) ~~determining whether a first condition is met, the first condition being that a number of received requests for a file exceeds a predetermined threshold;~~

g) ~~determining whether a second condition is met, the second condition being that a time limit has expired;~~

h) ~~repeating f) and g) until either of the first and second conditions is met, and then forwarding the file to the first host and to any other hosts in said group, wherein the group is limited to the first host and other hosts situated at a same location as the first host, wherein the predetermined condition is one of:~~

~~receipt of a predetermined number of further requests; and~~

~~expiry of a time limit that changes dynamically.~~

41. (Cancelled)

42. (Previously Presented) The memory according to claim 40, wherein one or both of the request and the file is transmitted between the apparatus and the first host via a cellular communications network and another host is considered to be at the same location as the first host if situated in an area covered by a same cell.

43. (Previously Presented) The memory according to claim 40, wherein the file is forwarded over a wireless communication network, the apparatus being a last apparatus before an air-interface in a file delivery path between the second host and the first host.

44. (Previously Presented) The memory according to claim 40, wherein the apparatus comprises a router.

45-46. (Cancelled)

47. (Previously Presented) The memory according to claim 40, wherein the request is received via a first communications network and the file is forwarded via a second communications network.